

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

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UNITED STATES OF AMERICA,

Plaintiff / Respondent,

vs.

Civil No. 03-278 RB/RHS  
Crim. No. 99-929 JP

RICARDO CORTEZ,

Defendant / Movant.

**ORDER ADOPTING FINDINGS, DENYING MOTION TO VACATE**  
**AND DISMISSING CIVIL PROCEEDING**

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition ("PFRD"), filed March 20, 2007 [**Doc. 24**]. No objections have been filed to the PFRD. Having reviewed the same, the Court will adopt the proposed findings of the United States Magistrate Judge. Accordingly, the Motion Pursuant to 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody ("Motion to Vacate") will be denied and this civil proceeding will be dismissed.

**WHEREFORE,**

**IT IS ORDERED** that the proposed findings of the United States Magistrate Judge are adopted by the Court, and the Motion Pursuant to 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody [**Doc. 1**] is **DENIED**; and

**IT IS FURTHER ORDERED** that this civil proceeding is **DISMISSED** with prejudice and any pending motions are **DENIED** as moot.

  
UNITED STATES DISTRICT JUDGE